

**UNITED STATES DISTRICT
COURT NORTHERN DISTRICT OF
ILLINOIS EASTERN DIVISION**

SIA HENRY, *et al.*, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, *et al.*,

Defendants.

Case No.: 22-cv-00125

Hon. Matthew F. Kennelly

**PLAINTIFFS' UNOPPOSED MOTION TO EXTEND TIME FOR PLAINTIFFS TO FILE A
MOTION AGAINST DEFENDANT MASSACHUSETTS INSTITUTE OF TECHNOLOGY
REGARDING THE OVER-DESIGNATION OF DOCUMENTS AS
"ATTORNEYS EYES ONLY"**

Plaintiffs move the Court for a short extension of time, from July 11, 2023 to July 21, 2023, for Plaintiffs to file a motion against Defendant Massachusetts Institute of Technology ("MIT") in connection with MIT's designation of documents as "Attorneys Eyes Only" ("AEO"). Plaintiffs have contended that MIT has over-designated documents as AEO and MIT has contended that it is working diligently to reduce the number of AEO-designated documents. Plaintiffs have consulted with MIT, and MIT does not oppose this motion.

At the last status conference, the Court set July 11, 2023 as the deadline by which Plaintiffs were to file a motion with respect to Defendants' over-designation of documents as AEO. At present, Plaintiffs have largely resolved the AEO issues with each of the other Defendants, after many fruitful discussions regarding those Defendants' excessive AEO designations. Plaintiffs contend that each Defendant other than MIT was able to get the

designations down to a number whereby the Confidentiality Order provisions to challenge individual documents is now manageable.

Plaintiffs continue to be in active discussions with MIT, which has a higher proportion of its documents designated AEO relative to other Defendants. However, MIT is still in the process of de-designating documents, which MIT advises will take several more days. Thus, Plaintiffs need more time to assess the outcome of those de-designations and to continue its discussions with MIT before determining whether it would be necessary to file any motion with regard to the over-designation of MIT documents as AEO. Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure, there is good cause to modify the deadline previously set by the Court.

As a result, Plaintiffs seek an extension of time, until the close of business on July 21, 2023, to file a motion against MIT regarding AEO designations, if necessary, with any opposition brief to be due as the Court directs.

Dated: July 11, 2023

Respectfully submitted,

By: /s/ Robert D. Gilbert

Robert D. Gilbert
Elpidio Villarreal
Robert S. Raymar*
Sarah Schuster
Alexis Marquez
Steven Magnusson
**GILBERT LITIGATORS &
COUNSELORS, P.C.**
11 Broadway, Suite 615
New York, New York 10004
Phone: (646) 448-5269
rgilbert@gilbertlitigators.com
pdvillarreal@gilbertlitigators.com
rraymar@gilbertlitigators.com
sschuster@gilbertlitigators.com
amarquez@gilbertlitigators.com

/s/ Edward J. Normand

Devin "Vel" Freedman
Edward J. Normand
Peter Bach-y-Rita
FREEDMAN NORMAND
FRIEDLAND LLP
99 Park Avenue
Suite 1910
New York, NY 10016
Tel: 646-970-7513
vel@fnf.law
tnormand@fnf.law
pbachyrita@fnf.law

/s/ Robert E. Litan

Daniel J. Walker
Robert E. Litan

smagnusson@gilbertlitigators.com

**Pro hac vice*

Eric L. Cramer
Caitlin G. Coslett
Ellen Noteware
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Tel.: 215-875-3000
ecramer@bm.net
ccoslett@bm.net
enoteware@bm.net

Richard Schwartz
BERGER MONTAGUE PC
1720 W Division
Chicago, IL 60622
Tel: 773-257-0255
rschwartz@bm.net

Counsel for Plaintiffs

Hope Brinn
BERGER MONTAGUE PC
2001 Pennsylvania Avenue, NW
Suite 300
Washington, DC 20006
Tel: 202-559-9745
rlitan@bm.net
dwalker@bm.net
hbrinn@bm.net